

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

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| C.W.; D.S.; M.C.; A.H.; S.G.; E.L.; S.A.; F.E.; I.F; | : | |
| G.B.; and D.G., by his next friend THEO | : | |
| LIEBMANN; and other similarly situated youth, | : | |
| | : | |
| Plaintiffs, | : | 13 Civ. 7376 (JS) (VPP) |
| | : | Hon. Sterling Johnson, Jr. |
| -against- | : | |
| | : | |
| THE CITY OF NEW YORK, | : | <u>ORDER</u> |
| | : | <u>CERTIFYING CLASS AND</u> |
| | : | <u>APPOINTING CLASS COUNSEL</u> |
| Defendant. | : | |
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Upon consideration of Plaintiffs' motion for class certification and the parties' stipulation dated March 27, 2014 (ECF No. 22), the Court hereby orders as follows:

- (1) The classes, subclasses, and sub-subclasses are certified;
- (2) As set forth in the parties' stipulation dated March 27, 2014 (ECF No. 22), the classes, subclasses, and sub-subclasses are defined as follows:

Class: Homeless youth ages 16-20 located within the boundaries of New York City who have sought or will seek youth shelter and/or services from the City but have been or will be denied such shelter and/or services.

(a) Subclass 1: Homeless youth ages 16-17 located within the boundaries of New York City who have sought or will seek youth shelter and/or services from the City but have been or will be denied such shelter and/or services.

(i) Sub-subclass 1: Homeless youth ages 16-17 located within the boundaries of New York City who (i) have a disability under Title II of the Americans with Disabilities Act, 42 U.S.C. 12102, (ii) have sought or will seek youth shelter and/or services from the City but have been or will be denied such shelter and/or services, (iii) (a) have been subjected to discrimination by the City by reason of their disabilities, and/or (b) have requested but have not received any reasonable accommodations of their disabilities where the existence of such disabilities was known or should have been known by the City.

(b) Subclass 2: Homeless youth ages 18-20 located within the boundaries of New York City who have sought or will seek youth shelter and/or services from the City but have been or will be denied such shelter and/or services.

(i) Sub-subclass 2: Homeless youth ages 18-20 located within the boundaries of New York City who (i) have a disability under Title II of the Americans with Disabilities Act, 42 U.S.C. 12102, (ii) have sought or will seek youth shelter and/or services from the City but have been or will be denied such shelter and/or services, (iii) (a) have been subjected to discrimination by the City by reason of their disabilities, and/or (b) have requested but have not received any reasonable accommodations of their disabilities where the existence of such disabilities was known or should have been known by the City.

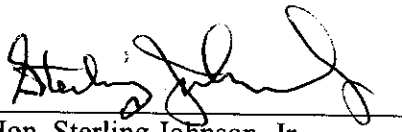
(3) Certification of each class, subclass, and sub-subclass is appropriate because they meet the requirements of Federal Rules of Civil Procedure 23(a), 23(b)(2), and 23(c)(5);

(4) This action is manageable as a class action; and

(5) The Legal Aid Society and Patterson Belknap Webb & Tyler LLP are appointed as Class Counsel under Federal Rule of Civil Procedure 23(g) for the certified classes, subclasses, and sub-subclasses.

IT IS SO ORDERED.

Dated: Brooklyn, New York
August 5, 2014


Hon. Sterling Johnson, Jr.
United States District Judge